

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

**OF THE**

***One Hundred and Tenth***

***Legislature***

**OF THE**

**STATE OF MAINE**

**SECOND REGULAR SESSION**

**January 6, 1982 to April 13, 1982**

**INDEX**

**FOURTH SPECIAL SESSION**

**April 28, 1982 and April 29, 1982**

**INDEX**

**FIFTH SPECIAL SESSION**

**May 13, 1982**

**INDEX**

**SECOND CONFIRMATION SESSION**

**July 16, 1982**

**INDEX**

**HOUSE**

Thursday, January 14, 1982

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Reverend Maynard Hammond of the Federated Church of Skowhegan.

The journal of yesterday was read and approved.

**Petitions, Bills and Resolves  
Requiring Reference**

The following Bills and Resolves were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

**Appropriations and Financial Affairs**

Bill "An Act to Appropriate \$5,000 for the National Guard Scholarship Program at Vocational-technical Institutes" (H. P. 1834) (Presented by Representative Conary of Oakland) (Cosponsor: Representative McSweeney of Old Orchard Beach) (Approved for introduction by the Legislative Council pursuant to Joint Rule 26)

Bill "An Act to Allow Priority Social Service Program Funds to Match Appropriate Federal Funds" (H. P. 1835) (Presented by Representative Michaud of East Millinocket) (Submitted by the Department of Human Services pursuant to Joint Rule 24)

(Ordered Printed)

Sent up for concurrence.

**Energy and Natural Resources**

Bill "An Act to Exempt Portions of the Central Maine Air Quality Control Region from Petroleum Liquids Transfer Vapor Recovery Requirements" (H. P. 1836) (Presented by Representative Crowley of Stockton Springs) (Cosponsor: Senator Shute of Waldo) (Submitted by the Department of Environmental Protection pursuant to Joint Rule 24)

(Ordered Printed)

Sent up for concurrence.

**Fisheries and Wildlife**

Bill "An Act to Clarify the Statutes Pertaining to Search and Rescue" (H. P. 1837) (Presented by Representative Jacques of Waterville) (Cosponsors: Representatives Clark of Millinocket and Conners of Franklin) (Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 24)

(Ordered Printed)

Sent up for concurrence.

**Health and Institutional Services**

Bill "An Act to Provide that Procedures Covered by the Maine Medical Assistance Program (Medicaid and Catastrophic Illness) Shall be Reimbursable Whether Performed by a Physician or Dentist" (H. P. 1838) (Presented by Representative MacBride of Presque Isle) (Cosponsors: Representatives Randall of East Machias and Brennerman of Portland and Senator Perkins of Hancock) (Approved for introduction by the Legislative Council pursuant to Joint Rule 26)

(Ordered Printed)

Sent up for concurrence.

**Judiciary**

Bill "An Act to Amend the Child Support Laws to Conform with Federal Statutes" (H. P. 1839) (Presented by Representative Ketover of Portland) (Cosponsor: Senator Bustin of Kennebec) (Submitted by the Department of Human Services pursuant to Joint Rule 24)

(Ordered Printed)

Sent up for concurrence.

**Tabled and Assigned**

Bill "An Act Concerning the Preservation of Archaeological Sites" (H. P. 1840) (Presented by Representative Holloway of Edgecomb) (Cosponsor: Representative Lewis of Auburn) (Approved for introduction by the Legislative

Council pursuant to Joint Rule 26)

Committee on Legal Affairs was suggested. On motion of Mr. Cox of Brewer, tabled pending reference and specially assigned for Tuesday, January 19.

**Passed to Be Engrossed**

Bill "An Act to Provide for the Appointment of a Provisional County Treasurer" (Emergency) (H. P. 1850) (Presented by Representative Hall of Sangerville) (Cosponsors: Senator Teague of Somerset and Representative Gwadnosky of Fairfield and Michaud of East Millinocket)

Committee on Local and County Government was suggested.

Under suspension of the rules, the Bill was read twice, passed to be engrossed without reference to any committee and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

**Marine Resources**

Bill "An Act Regulating the Taking of Mahogany Quahogs" (H. P. 1841) (Presented by Representative Crowley of Stockton Springs) (Submitted by the Department of Marine Resources pursuant to Joint Rule 24)

(Ordered Printed)

Sent up for concurrence.

**Public Utilities**

Bill "An Act to Provide that Corporate Reorganization by Public Utilities be Subject to Approval by the Public Utilities Commission" (H. P. 1842) (Presented by Representative Mitchell of Freeport) (Cosponsor: Representative Murphy of Kennebunk) (Submitted by the Office of the Public Advocate pursuant to Joint Rule 24)

(Ordered Printed)

Sent up for concurrence.

**State Government**

Bill "An Act Relating to the Publication of a Consolidated Map of the State" (Emergency) (H. P. 1843) (Presented by Representative Carter of Winslow) (Cosponsors: Representatives Strout of Corinth and Fowlie of Rockland) (Submitted by the Department of Transportation pursuant to Joint Rule 24)

(Ordered Printed)

Sent up for concurrence.

**Taxation**

Bill "An Act to Establish Municipal Cost Components for Services to be Rendered in Fiscal Year 1982-83" (Emergency) (H. P. 1845) (Presented by Representative Kilcoyne of Gardiner) (Cosponsor: Senator Teague of Somerset) (Submitted by the Department of Finance and Administration pursuant to Joint Rule 24)

RESOLVE, Reimbursing Certain Municipalities on Account of Taxes Lost Due to Lands being Classified under the Maine Tree Growth Tax Law (Emergency) (H. P. 1844) (Presented by Representative Twitchell of Norway) (Submitted by the Department of Finance and Administration pursuant to Joint Rule 24)

(Ordered Printed)

Sent up for concurrence.

**Study Report**

**Committee on Audit and Program Review**

Representative Berube from the Committee on Audit and Program Review to which was referred the study and review of the Maine Sunset Law, pursuant to Title 3, Section 505, have had the same under consideration, and ask leave to submit its findings and report that the accompanying Bill "An Act Relating to Periodic Justification of Departments and Agencies of State Government under the Maine Sunset Law" (H. P. 1832) (L. D. 1814) be referred to this Committee for public hearing and printed pursuant to Joint Rule 17.

Report was read and accepted, the Bill re-

ferred to the Committee on Audit and Program Review, ordered printed and sent up for concurrence.

**Study Report  
Committee on Labor**

**Referred to Committee on Legal Affairs**

Representative Beaulieu from the Committee on Labor to which was referred the Study Order relative to Occupational disease and hearing loss, pursuant to Joint Order H. P. 1629 have had the same under consideration, and ask leave to submit its findings and to report that the accompanying bill "An Act to Regulate the Sound Level of Entertainment on Premises Licensed to Sell Liquor" (H. P. 1847) (L. D. 1828) be referred to the Committee for Public Hearing and printed pursuant to Joint Rule 18.

Report was read and accepted.

On motion of Mr. Cox of Brewer, the Bill was referred to the Committee on Legal Affairs, ordered printed and sent up for concurrence.

**Study Report  
Committee on Labor**

Representative Beaulieu from the Committee on Labor to which was referred the Study Order relative to occupational disease and hearing loss, pursuant to Joint Order H. P. 1629 have had the same under consideration, and ask leave to submit its findings and to report that the accompanying bill "An Act to Change the Time Limitations for Filing a Claim for Compensation of Occupational Disease" (H. P. 1848) (L. D. 1829) be referred to this Committee for Public Hearing and printed pursuant to Joint Rule 18.

Report was read and accepted, the Bill referred to the Committee on Labor, ordered printed and sent up for concurrence.

**Orders**

On motion of Representative Mitchell of Vassalboro, the following Joint Order: (H. P. 1833) (Cosponsor: Representative Higgins of Scarborough)

ORDERED, the Senate concurring, that the Legislative Finance Officer be authorized and directed to pay each member of the Legislature prior to February 1, 1982, a \$200 allowance for constituent services as authorized in the Maine Revised Statutes, Title 3, section 2.

Was read and passed and sent up for concurrence.

On motion of Representative LaPlante of Sabattus, the following Joint Order: (H. P. 1846)

ORDERED, the Senate concurring, that the Joint Standing Committee on Local and County Government report out legislation to the House to revise the salaries of county officers and lay the county taxes for the year 1982.

Was read and passed and sent up for concurrence.

**Special Sentiment Calendar**

In accordance with House Rule 56, the following items (Expressions of Legislative Sentiment) Recognizing:

Edith Livermore, of Brooklyn, on the celebration of her 99th birthday; (S. P. 763)

In Memory Of:

The Honorable Cecil H. McNally, of Ellsworth, a distinguished member of this great body during the 103rd, 104th, 105th, 106th, 107th and 108th legislative sessions; (H. P. 1849) by Representative Bordeaux of Mount Desert. (Cosponsors: Senators Emerson of Penobscot and Perkins of Hancock and Representatives Conners of Franklin, Foster of Ellsworth, Perkins of Brooksville, Swazey of Bucksport and Salsbury of Bar Harbor)

There being no objections these items were considered passed or adopted.

By unanimous consent, H. P. 1849 was ordered sent forthwith to the Senate.

(Off Record Remarks)

**House at Ease**

Called to order by the Speaker.

The following papers appearing on Supplement No. 1 were taken up out of order by unanimous consent:

Bill "An Act to Amend the Maine Consumer Credit Code Regarding Second Mortgages and Mobile Homes" (S. P. 759) (L. D. 1817)

Bill "An Act to Provide for Discount Automobile Insurance for 3 Years for Persons 55 Years Old or Older upon Completion of a Motor Vehicle Accident Prevention Course" (S. P. 764) (L. D. 1822)

Bill "An Act Concerning Grandfather Provisions with the Oil Burner's Licensing Law" (S. P. 767) (L. D. 1825)

Came from the Senate referred to the Committee on Business Legislation and ordered printed.

In the House, referred to the Committee on Business Legislation in concurrence.

Bill "An Act to Amend the Maine Medical Compact" (S. P. 766) (L. D. 1824)

Came from the Senate referred to the Committee on Education and ordered printed.

In the House, referred to the Committee on Education in concurrence.

The following papers appearing on Supplement No. 2 were taken up out of order by unanimous consent:

Bill "An Act to Require Municipal Approval Prior to Issuing Permits to Discharge Petroleum Products into the Tidal Waters of the State" (S. P. 762) (L. D. 1820)

Came from the Senate referred to the Committee on Energy and Natural Resources and ordered printed.

In the House, referred to the Committee on Energy and Natural Resources in concurrence.

Bill "An Act Relating to Guide Dogs for Handicapped Persons" (S. P. 765) (L. D. 1823)

Came from the Senate referred to the Committee on Health and Institutional Services and ordered printed.

In the House, referred to the Committee on Health and Institutional Services in concurrence.

The following papers appearing on Supplement No. 3 were taken up out of order by unanimous consent:

Bill "An Act to Permit the Establishment of Additional Agency Stores on a Seasonal Basis" (S. P. 760) (L. D. 1818)

Bill "An Act to Clarify the Certificate of Approval Holder and Maine Wholesale Licensee Agreement Act" (S. P. 768) (L. D. 1826)

Came from the Senate referred to the Committee on Legal Affairs, and ordered printed.

In the House, referred to the Committee on Legal Affairs in concurrence.

Bill "An Act to Clarify the Fees for the Registry of Deeds" (S. P. 761) (L. D. 1819)

Came from the Senate referred to the Committee on Local and County Government and ordered printed.

In the House, referred to the Committee on Local and County Government in concurrence.

The following papers appearing on Supplement No. 5 were taken up out of order by unanimous consent:

Bill "An Act to Limit the State's Ability to Make Lease-purchase Agreements" (S. P. 769) (L. D. 1827)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs and ordered printed.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

Bill "An Act to Clarify the Tax Status of Time-sharing Condominiums" (S. P. 758) (L. D. 1816)

Came from the Senate referred to the Committee on Taxation, and ordered printed.

In the House, referred to the Committee on Taxation in concurrence.

The following papers appearing on Supplement No. 5 were taken up out of order by unanimous consent:

Bill "An Act to Retain Weight Tolerance for Certain Vehicles Under the Motor Vehicle Law" (S. P. 757) (L. D. 1815)

Bill "An Act Establishing a Directional Sign at Exit 8 of the Maine Turnpike Indicating St. Joseph's College" (S. P. 771) (L. D. 1821)

Came from the Senate referred to the Committee on Transportation and ordered printed.

In the House, referred to the Committee on Transportation in concurrence.

The following paper appearing on Supplement No. 6 was taken up out of order by unanimous consent:

An Act to Provide for the Appointment of a Provisional County Treasurer (H. P. 1850) (L. D. 1830)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 125 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate. By unanimous consent, ordered sent forthwith.

The following paper appearing on Supplement No. 7 was taken up out of order by unanimous consent:

The following Joint Order: (S. P. 777)  
ORDERED, the House concurring, that when the House and Senate adjourn, the House adjourns to Tuesday, January 19, 1982, at ten o'clock in the morning; and the Senate adjourns to Tuesday, January 19, 1982, at eleven o'clock in the morning.

Came from the Senate read and passed.  
In the House, the Order was read and passed in concurrence.

The following paper appearing on Supplement No. 8 was taken up out of order by unanimous consent:

**Special Sentiment Calendar**

In accordance with House Rule 56, the following item (Expression of Legislative Sentiment) Recognizing:

January 15th, which has been set aside and designated by the Legislature, in honor and memory of Martin Luther King, Jr.; (S. P. 775)

There being no objections, this item was considered adopted in concurrence.

(Off Record Remarks)

On motion of Mr. Bordeaux of Mt. Desert,  
Adjourned until Tuesday, January 19, at ten o'clock in the morning, in memory of the Honorable Cecil H. McNally of Ellsworth.